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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,063	12/22/2000	Timothy A. Best	ST9-99-186	1655

7590 01/13/2004  
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N. W.  
Washington, DC 20037-3213

EXAMINER
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PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 01/13/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/747,063

Applicant(s)

BEST ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 10-12, 14-15, 24-26, 28-29, 38-40 and 42 rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6,513,158 B1 (Yogarathnam).

Referring to claims 1 and 29, Yogarathnam discloses receiving user selection of applets (column 2 lines 58-60 and column 4, lines 58-60) and generating separate windows for each of the selected applets, as seen by the four application windows being open in Figure 5 and executing each applet in a separate window, as seen by the desktop shown in Figure 5 (column 3, lines 5-10).

Referring to claims 10, 11, 24, 25, 38 and 39, Yogarathnam discloses loading a webtop applet into a browser window and having this applet be loaded in connection with Java applications (column 2, lines 24-32).

Referring to claims 12, 26 and 40, Yogarathnam refers to a service vendor plug-in, which serves as the webtop applet which when executed is responsible for giving accessing to and providing the information for the user interface plug-in (Figure 6) to display the available applets that can be accessed by the users, as shown in Figure 7. See column 3, lines 1-5 and column 4, lines 53-60.

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Referring to claims 14, 28 and 42, Yogaratnam discloses selecting applets from a toolbar (Figure 7), wherein there is a separate window for each generated applet, as shown in the desktop of Figure 5.

Referring to claim 15, Yogaratnam discloses that this application for executing applets simultaneously is used within the Internet, thereby suggesting a client/server paradigm (column 1, lines 7-10). Yogaratnam also discloses the relationship between the client and server, wherein the client has a data store coupled to for storing data that is accessed from a server, with a data store coupled to with data for the client to access through a network (column 5, lines 15-24). Yogaratnam discloses receiving user selection of applets (column 2 lines 58-60 and column 4, lines 58-60) and generating separate windows for each of the selected applets and executing each applet in a separate window, as seen by the desktop shown in Figure 5.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 3-9, 18-23 and 31-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogaratnam and U. S. Patent No. 5,561,757 (Southgate).

Referring to claims 3-9, 18-23 and 31-37, Yogaratnam does not disclose the manipulation of the windows, which represent the running applications. Southgate discloses allowing windows to be resized (column 1, line 61), repositioned (column 1, lines 64-65), minimized and maximized (column 1, line 59-60), overlapping of windows (column 2, lines 10-11) and

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cascading and tiled (column 3, lines 5-6). It would have been obvious for one skilled in the art at the time of the invention to learn from Southgate to implement means for manipulating the windows wherein the applications would be represented. Southgate discusses these manipulation techniques as being applicable to any GUI with windows (column 1, lines 26-37), as such as is disclosed in Yogaratnam. Hence, one skilled in the art, at the time of the invention would have been motivated to learn from Southgate to implement basic manipulation techniques for the layout of the windows.

3. Claims 13, 27 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yogaratnam and "The Swing Tool Set" article.

Referring to claims 13, 27 and 41, Yogaratnam does not disclose using a JInternal frame to represent the applet windows. "The Swing Tool Set" article discloses a means for using JInternal frames, wherein these components would be used to represent objects, such as windows in desktop environments (page 10, row 4), much like the desktop environments of Yogaratnam. It would have been obvious for one skilled in the art, at the time of the invention to learn from the article to implement the window representation of the applets through a JInternal frame component. JInternal frame components are obviously used to represent objects within a desktop environment, much like the ones used in Yogaratnam. Hence, it would have been obvious for one skilled in the art, at the time of the invention to learn from the article to implement the applets such as they are represented through JInternal frame components.

#### ***Response to Arguments***

4. Applicant's arguments filed 11/3/03 have been fully considered but they are not persuasive.

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With respect to Applicant's arguments that Yogaratnam is not related to executing applets in separate windows. Applets are Java applications, wherein Yogaratnam by disclosing that multiple Java applications are running and being executed in separate windows, inherently refers to the executing applets in separate windows.

With respect to Applicant's arguments that Yogaratnam does not disclose that the four boxes APP 1 through APP n, respectively are separate windows. As disclosed in Figure 5, wherein a desktop is displayed, on top of which the boxes are shown labeled as various applets, each applet in separate boxes, wherein the display of these boxes on a desktop does suggest that they are windows. Furthermore, Figure 7 also suggests multiple applets that are launched and displayed in separate windows. Yogaratnam has clearly disclosed the concept of executing various applets, wherein Yogaratnam has also given examples of three applets that are running separately, wherein these applets must be displayed in order for the users to manipulate and work with these applications (column 6, lines 30-35).

With respect to Applicant's arguments that there is no clear motivation or suggestion for combining Yogaratnam and Southgate. As stated in the rejection, Southgate has clearly stated that its window manipulation techniques are applicable to all windows in a user interface, wherein Yogaratnam would fall under this for working with and displaying applets in such window in a user interface, thereby clearly proving how Southgate would serve as a teaching to Yogaratnam for manipulating its windows.

With respect to Applicant's arguments that Southgate does not suggest the manipulation of windows in which an applet is executing. Southgate has clearly stated that these windows may belong in applications, wherein an applet or application would be executing in the window,

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wherein Southgate further suggests that the windows may have information in it that is related to an application or applet and wherein these windows which are common in all GUI's can be manipulated and applies to Southgate's teachings (Southgate, column 1, lines 27-37).

With respect to Applicant's arguments that STS does not teach generating JInternal frames for each selected applet. As described in STS, JInternal frames implemented objects within a window pane, wherein the selected applets are executed in window panes, thereby providing obviousness for combining STS with Yogaratnam to further teach the concept of JInternal frames being implemented in window panes.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please

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label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

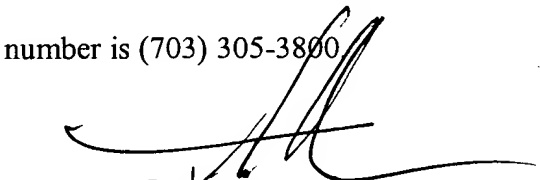
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
January 8, 2004

  
JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER